

TITLE: Herndon Area Changes- Design **DATE:** 9/26/2018
PROJECT: Construction Package No. 1 **CONTRACT NO:** HSR 13-06

CONTRACTOR: Attn: Ghassan Ariqat
 Tutor Perini/Zachry/Parsons, a Joint Venture
 1401 Fulton Street
 Suite 400
 Fresno, CA 93721

DESCRIPTION OF CHANGE:

This change order provides additional compensation for all design services necessary to advance Design Baseline Report Package 3 and Design Baseline Report Package 5 simultaneously (duel Design) within the same station limits.

This Change Order also provides an adjustment in compensation for additional design services between stations 10304+00 to 10595+00 necessary to complete the design concept shown in Design Baseline Report (DBR) Package 5.

ADJUSTMENT IN COMPENSATION AT AGREED LUMP SUM:

For this work, the Contractor shall be paid the agreed lump sum of **\$7,942,301.24**. This lump sum constitutes full and complete compensation, including all markups, for providing all design services by reason of this change.




In accordance with the lump sum price spreadsheet signed and dated August 16, 2018, this lump sum price does not include the following design costs:

1. State Route 99 Herndon On-Ramp Supplemental Project Report
2. Herndon Avenue Horizontal Clearance Design Exception- Caltrans
3. San Joaquin River Viaduct Caltrans Early Start of Construction Foundation Package
4. Basin EH Drainage Submittal Package
5. Temporary Basin EH Drainage Submittal Package
6. The following portions of the San Joaquin River Viaduct Package:
 - a. Request for Information (RFI) 195 Fastener Stiffness
 - b. RFI 196 Flammable Material
 - c. Design Variance Request (DVR) 41 allowable Vertical Frequency
 - d. DVR 42 Long Term Camber Aerial Trackway Structures
 - e. RFI 270 R1 PT Anchor Head Elastomeric Coating
 - f. Drain pipe locations relative to structure
7. Pergola Column Connection Bearing Elimination

TIME ADJUSTMENT:

Any potential delay or impact due to this Change Order shall be evaluated pursuant to the Contract, including Section 23.4, "Equitable Adjustments – Limitation on Delay and Disruption Damages," of the *General Provisions*.

PCO	Payment Item	Description	Quantity	Unit	Unit Price	Net Amount	Time Adj. Days
0013R1	00001	Herndon ATC	1.0	LS	\$7,654,176.97	\$7,654,176.97	0
0013R1	00001	UPRR Widening	1.0	LS	\$288,124.27	\$288,124.27	0
Total:						\$7,942,301.24	0

Contractor	California High-Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by
			

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Release of Claims

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

Contractor's Sworn Certification

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.


The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.


Subcontractor's Sworn Certification(s):

Attached as _____ [indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.


Tutor Perini/Zachry/Parsons, a Joint Venture

Acceptance by Signature 	Ghassan Ariqat – Project Manager/Director	Date 9/26/18
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California High-Speed Rail Authority

Submitted by Signature 	Mike Sheffield - D-B Oversight Manager	Date 9/26/18
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Recommended by Signature 	Steven Milton- Design & Construction Manager	Date 9/27/18
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Recommended by Signature 	William Grimsley – Director of Design & Construction	Date 10/2/18
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Approval by Signature 	Joe Hedges – Chief Operating Officer	Date 10/2/18
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